

House-Senate Agreement

THE NEY-DODD-HOYER-MCCONNELL HELP AMERICA VOTE ACT OF 2002

(H.R. 3295)
SUMMARY OF HOUSE-SENATE AGREEMENT

I. TITLE I-ANTIQUATED MACHINE BUY-OUT

- \$325 million for buying out punch-card and lever voting machines.
- \$325 million in automatic payments to states to improve election administration.
- Each state is guaranteed to receive at least \$5 million under this title.

II. TITLE II-ELECTION ASSISTANCE COMMISSION

- A federal commission is established, consisting of 2 Republican appointees and 2 Democratic appointees.
- The Commission has no rulemaking authority but, under prescribed procedures, will issue voluntary guidelines for voting systems and the requirements.
- The Commission carries out the grant programs, provides for the certification and testing of voting systems, and studies election issues.

Requirements Payments

\$3 billion for meeting the requirements, training poll workers, providing voter education, and improving the administration of federal elections.

Payments are allocated by formula upon the submission of a state plan, developed in an open manner and subject to public notice and comment, and certain self-certifications.

Access Grants

\$100 million for increasing polling place access for disabled voters.

Research Grants

\$20 million for research and development to improve voting technology.

Pilot Program Grants

\$10 million for pilot programs to test new voting systems and equipment.

Protection and Advocacy Systems Payments

\$40 million for state protection and advocacy systems.

National Student and Parent Mock Election

\$200,000 to the National Student and Parent Mock Election to promote voter participation.

III. TITLE III-REQUIREMENTS

Each state must:

- Provide voters an opportunity to check for and correct ballot errors in a private and independent manner.
- Have a voting system with a manual audit capacity.
- Provide at least 1 voting machine per precinct that is accessible to the disabled.
- Provide alternative language accessibility pursuant to the Voting Rights Act.
- Have a voting system whose error rate does not exceed the existing rate established by the FEC Office of Election Administration.
- Define what constitutes a legal vote for each type of voting machine used in the state.
- Provide provisional ballots to ensure no individual is turned away at the polls.
- Implement a uniform, centralized computerized statewide voter registration database to ensure accurate lists.

System Integrity

- When registering to vote, individuals must provide a driver's license number or, if the voter does not have a driver's license, the last 4 digits of the Social Security number. If an individual does not have either number, he or she will be assigned a unique identifier.
- First-time voters who register by mail are required to provide identification when they cast their ballots.
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States are obligated to maintain clean and accurate voter registration lists.

- Voters who cast their ballots after the designated poll-closing time as a result of a court order will have their ballots segregated and counted separately.

IV. TITLE IV-ENFORCEMENT

- DOJ may seek injunctive or declaratory relief for violations of the Act.

- Each state receiving funds under the Act must establish an administrative grievance procedure for hearing complaints. States not accepting funds under the Act must either establish a grievance procedure or submit a compliance plan with DOJ.

V. TITLE V-HELP AMERICA VOTE COLLEGE PROGRAM

- \$5 million to encourage college students to participate in the political process by volunteering as poll workers.

VI. TITLE VI-HELP AMERICA VOTE FOUNDATION

- \$5 million to encourage high school students to participate in the political process by volunteering as poll workers.

VII. TITLE VII-MILITARY

- Provisions to improve ballot access for military and overseas voters.

VIII. TITLE VIII-TRANSITION PROVISIONS

- Transition provisions from House- and Senate-passed bills.

IX. TITLE IX-MISCELLANEOUS

- The Commission is authorized to conduct audits, including special audits.
- Criminal penalties for conspiracy to deprive voters of a fair election and providing false information in registering and voting.